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Report of the Special Rapporteur on freedom of religion or belief, on his mission to Denmark: comments by the State

Note by the Secretariat

The Secretariat has the honour to transmit to the Human Rights Council the comments by the State on the report of the Special Rapporteur on freedom of region or belief on his missions to Denmark.

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Report of the Special Rapporteur on freedom of religion or belief on his visit to Denmark: comments by the State*

Comments on the Report of the Special Rapporteur on freedom of religion or belief, Heiner Bielefeldt, on his mission to Denmark (from 13 to 22 March)

Ministry of Justice

1. At para. 5 of the report (pages 3-4), it is stated that, in the light of European and international conventions ratified by Denmark, 'Article 67 of the Constitution requires a broad interpretation of the scope of protection (i.e. beyond "worship of God") and a cautious interpretation of the limitation clause.' Furthermore, this statement is reflected at para. 74 of the report (p.19). While Denmark remains fully committed to respecting European and international human rights conventions, it is respectfully submitted that the interpretation of the Danish Constitutional Act is a matter of Danish law.

2. At para. 44 of the report (page 12), it is stated that, '[f]or Article 67 of the Constitution to remain in line with the development of freedom of religion or belief in European and international human rights law, it should be interpreted in a broad and inclusive way.' It should be noted that this statement occurs in the context of a discussion of the criteria governing the acknowledgement of religious communities in Denmark. However, as correctly stated at para. 6 of the report (p. 4), acknowledgement of a religious community is not a prerequisite for that community's right to establish itself or to operate in Denmark. Thus, Article 67 of the Constitutional Act – which simply lays down the freedom of religion – is not concerned with the criteria governing the acknowledgement of religious communities and the advantages which flow from such status.

Ministry of Education, Culture, Research and Church, Greenland.

3. The Ministry of Education, Culture, Research and Church would like to clarify, that Greenland is not legally obliged to facilitate services for Greenlanders, who are not living voluntarily in Denmark. Greenland is however funding a Greenlandic pastor who provides services for Greenlanders who are not living voluntarily in Denmark. In addition Denmark funds a Greenlandic pastor who provides services for Greenlanders who are living voluntarily in Denmark. As there is a lack of educated pastors in Greenland, the Home Rule Government of Greenland has given priority to occupy vacant positions in Greenland".

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* Reproduced as received.